

Blumharts  
Law Products

COURT UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

COUNTY OF

ADAM JERNOW,

Plaintiff(s)

against

WENDY'S INTERNATIONAL, INC.,

Defendant(s)

Index No. 07 CV 3971

**AFFIDAVIT OF  
SERVICE OF SUMMONS  
(AND COMPLAINT)**

IN A CIVIL CASE

OHIO  
STATE OF ~~NEW YORK~~ COUNTY OF FRANKLIN SS: The undersigned, being duly sworn, deposes and says; deponent is not a  
party herein, is over 18 years of age and resides at COLUMBUS, OHIO  
That on 5/22/07 at 3:16P.M., at ONE DAVE THOMAS BLVD., DUBLIN, OH 43017  
deponent served the within summons, and complaint on WENDY'S INTERNATIONAL, INC. defendant therein named,  
IN A CIVIL CASE

INDIVIDUAL  
1. ☐ by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as  
said defendant therein.  
CORPORATION  
2. ☒ a DOMESTIC corporation, by delivering thereof a true copy of each to LISA CAMARILL  
personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and  
knew said individual to be MANAGING AGENT thereof.  
SUITABLE AGE PERSON  
3. ☐ by delivering thereof a true copy of each to a person of suitable age  
and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.  
AFFIXING TO DOOR, ETC.  
4. ☐ by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—  
usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age  
and discretion thereof, having called there

MAILING TO  
RESIDENCE  
USE WITH 3 OR 4  
5A. ☐ said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.  
MAILING TO  
BUSINESS  
USE WITH 3 OR 4  
5B. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly  
addressed to defendant at defendant's actual place of business, at  
in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore  
the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the  
communication was from an attorney or concerned an action against the defendant.  
DESCRIPTION  
USE WITH  
1, 2, OR 3  
☒ Male ☒ White Skin ☐ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.  
☒ Female ☐ Black Skin ☐ Brown Hair ☐ Balding ☒ 21-35 Yrs. ☐ 5'0"-5'3" ☐ 100-130 Lbs.  
☐ Yellow Skin ☒ Blonde Hair ☐ Mustache ☐ 36-50 Yrs. ☐ 5'4"-5'8" ☒ 131-160 Lbs.  
☐ Brown Skin ☐ Gray Hair ☐ Beard ☐ 51-65 Yrs. ☒ 5'9"-6'0" ☐ 161-200 Lbs.  
☐ Red Skin ☐ Red Hair ☐ Glasses ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.

Other identifying features:

USE IN  
NYC CIVIL CT.  
☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional  
legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY  
SERVICE  
☐

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any  
capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of  
my information and the grounds of my belief are the conversations and observations above narrated. Upon information and  
belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either  
the State or in the Federal statutes.

Sworn to before me on



JAMES MOSEL  
Notary Public, State of Ohio  
My Commission Expires Aug. 10, 2011

Rev. Anthony T. Hodge  
REV. ANTHONY T. HODGE

License No. 2325 N.A.P.P.S.

INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

ADAM JERNOW

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

WENDY'S INTERNATIONAL, INC.

07 CV 3971  
JUDGE SWAIN

TO: (Name and address of defendant)

WENDY'S INTERNATIONAL, INC.  
ONE DAVE THOMAS BLVD.  
DUBLIN, OHIO 43017

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

MICHAEL R. REESE  
GUTRIDE SAFIER REESE LLP  
230 PARK AVENUE - SUITE 963  
NEW YORK, NEW YORK 10169

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

DATE

MAY 22 2007

(BY) DEPUTY CLERK

